

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

ADAM POOLE,

Plaintiff,

vs.

Civ. No. 99-741 LH/WWD

COUNTY OF OTERO, SHERIFF JOHNNY  
LEE, and DEPUTY TOM SKIPWORTH,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendants' Motion to Stay Discovery [docket no. 17] filed December 13, 1999. The motion seeks to stay discovery because the individual Defendants have filed a fully briefed motion to dismiss based on claims of qualified immunity. The doctrine of qualified immunity, if it applies, would protect all defendants named in their individual capacity from discovery among other things.

**WHEREFORE,**

**IT IS ORDERED** that the Motion to Stay Discovery be, and it hereby is, GRANTED, and discovery in this Cause is stayed until this court rules on the motion to dismiss based on qualified immunity.

  
UNITED STATES MAGISTRATE JUDGE